

REMARKS

Upon entry of this amendment, claims 1, 2, and 4-10 are all the claims pending in the application. Claim 3 is canceled by this amendment.

I. Objections to the Specification

The Examiner has objected to the specification for the reasons set forth on page 2 of the Office Action. Applicants have amended the specification in a manner to overcome this objection. The specification and abstract also include editorial amendments that have been made for grammatical and general readability purposes. No new matter has been added.

Based on the foregoing, Applicants respectfully request that the Examiner reconsider and withdraw the objection to the specification.

II. Objection to the Claims

The Examiner has objected to claims 1-10 for the reasons set forth on page 2 of the Office Action. Applicants have amended these claims in a manner to overcome the Examiner's objections. Accordingly, Applicants respectfully request that the objections to the claims be reconsidered and withdrawn.

III. Allowable Subject Matter

Applicants thank the Examiner for indicating that claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim.

By this amendment, Applicants have amended claim 1 so as to include all of the

limitations of claim 3. In addition, Applicants have also amended independent claim 10 by incorporating all of the limitations recited in claim 3. Accordingly, Applicants respectfully submit that claims 1 and 10 are now in condition for allowance.

IV. Claim Rejections under 35 U.S.C. § 103(a)

Claims 1, 2 and 4-10 were rejected in the Office Action on the following basis:

- a. Claims 1, 5 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kawaji et al. (WO 03/081765);
- b. Claims 1 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakamura et al. (U.S. 5,206,575) in view of Morimoto et al. (JP 11-308894);
- c. Claims 1, 4 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakamura et al. in view of Gilbreth et al. (U.S. 6,489,692);
- d. Claims 7 and 8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kawaji et al., Nakamura et al. in view of Morimoto et al., and Nakamura et al. in view of Gilbreth et al.; and
- e. Claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Kawaji et al., Nakamura et al. in view of Morimoto et al., and Nakamura et al. in view of Gilbreth et al. and further in view of Smith (U.S. 5,561,595).

As noted above, claims 1 and 10 have been amended herein so as to include all of the features recited in claim 3, which the Examiner has indicated includes allowable subject matter. Accordingly, as the cited prior art fails to disclose, suggest or otherwise render obvious all of the features recited in amended claims 1 and 10, Applicants submit that claims 1 and 10 are patentable over the cited prior art, an indication of which is kindly requested. Claims 2 and 4-9

depend from claim 1 and are therefore considered patentable at least by virtue of their dependency.

V. Double Patenting Rejection

Claims 1, 2, 6, 7 and 10 have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 9, 10 and 11 of copending Application No. 10/807,231 (the '231 application); and claims 1 and 10 have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 4 of the '231 application in view of Kumaki (U.S. 4,992,718).

As noted above, claims 1 and 10 have been amended so as to recite the features included in claim 3, which the Examiner has indicated contains allowable subject matter. Accordingly, Applicants respectfully submit that the provisional obviousness-type double patenting rejection is inapplicable to claims 1 and 10 as amended herein.

In view of the foregoing, Applicants submit that claims 1 and 10 are in condition for allowance, an indication of which is kindly requested. Claims 2, 6 and 7 depend from claim 1 and are therefore considered patentable at least by virtue of their dependency.

VI. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited.

If any points remain in issue which the Examiner feels may best be resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Mitsuo KAWAJI et al.

By: Kenneth Fields
Kenneth W. Fields
Registration No. 52,430
Attorney for Applicants

KWF/abm
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
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